

COUNTY OF PICKENS

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Donna F. Owen

December 1, 2011

Mr. Craig Zeller
Project manager
Environmental Protection Agency
c/o/ Pickens County Administration Building
Pickens, South Carolina

RE: Twelve Mile River

Dear Mr. Zeller:

Pickens County Council appreciates the efforts that the EPA has made in supervising the cleanup of PCBs and other carcinogens from Twelve Mile River, a/k/a/ Twelve Mile Creek, along with the removal of two of the dams from that River. It also appreciates the EPA's holding the public hearing today in Pickens to present an update to citizens on the progress that has been made. However, Pickens County Council is concerned that Twelve Mile River may not have been cleaned to the degree necessary to safeguard the environment, or to protect the health of County residents who live near the river or of those who live downstream on Lake Hartwell. Pickens County Council is also concerned that adequate funds may not have been set aside to maintain the landfill where the contaminated soil was placed, to periodically test the leachate outflow from that landfill and to ensure that any future problems are detected and corrected in a timely manner.

Pickens County Council is the governing body of Pickens County, the local governmental entity that is charged with the duty of approving land use planning policies and regulating and enforcing land use policies in the unincorporated areas of Pickens County. It is also authorized to use its police powers to protect the public from public health hazards in our County. Pickens County Council wishes to be recognized as a coordinating agency by the EPA, so that it will be consulted, and have a voice in the decisional process, each time that decisions are made by the EPA and/or cooperating State agencies to attempt to solve problems relating to the River, or to the landfill which contains the PCB-contaminated soil removed from Twelve Mile River.



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It is our understanding that the Environmental Protection Agency is required to consult with local governments, such as Pickens County, when its own involvement is reasonably foreseeable, pursuant to 40 C.F.R. § 1501.2 (d)(2). Accordingly, this letter serves to inform you and the EPA that Pickens County Council has a foreseeable and ongoing duty to be actively involved in representing and protecting the interests of its citizens and taxpayers in all matters relating to the remediation and future protection of Twelve Mile River and surrounding areas from environmental contamination. Landfills can deteriorate and unremediated PCBs can affect the environment for decades to come. We want to be an ongoing part of the process that ensures that the interests of current and future generations of citizens of Pickens County are protected. We want our citizens to know that no one will be needlessly endangered by contamination from living near the River or Lake Hartwell, and that Twelve Mile River and Lake Hartwell will be usable for fishing and other recreational activities for years to come.

Pickens County Council wants a seat at the table when important environmental issues are considered and decisions are made, pursuant to directives of Congress set forth in 42 U.S.C. § 4332(2)(c), 40 C.F.R. §§ 1501.1, 1501.2 (d)(2), 1501.5, 1501.6, 1501.8, 1506.2, and related sections of the United States Code and of the Code of Federal Regulations.

Please note our ongoing interest in this matter. We wish to receive copies of all materials filed with EPA and copies of any orders or notices issued by the EPA affecting Twelve Mile River or the landfill; to be involved in all planning sessions relating to the remediation of Twelve Mile River and the landfill where the PCB-contaminated soil is stored; and to receive written notice of all proposed public hearings that may be held on these issues in the future.

We look forward to working with you on this important matter.

Yours truly,

PICKENS COUNTY, SOUTH CAROLINA

By: 

Jennifer H. Willis, Chairman of County Council

cc: SCDHEC